

**SUPREME COURT MINUTES
THURSDAY, JANUARY 6, 2000
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on January 6, 2000, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegar, Chin, and Brown.

Officers present: Brian Clearwater, Calendar Coordinator; and Harry Kinney, Bailiff.

***REMARKS FOR MEMORIAL SESSION HONORING
HONORABLE RAYMOND L. SULLIVAN, ASSOCIATE JUSTICE,
CALIFORNIA SUPREME COURT (1966-1977)***

CHIEF JUSTICE RONALD M. GEORGE: Good morning. We meet today to honor Justice Raymond L. Sullivan, who served with great distinction as an associate justice of this court from December 1966 through January 1977. I first would like to introduce the members of the court. Starting at my far left, Justice Brown, Justice Werdegar, and Justice Kennard. To my immediate right is Justice Mosk and to his right is Justice Baxter and then Justice Chin. On behalf of the court, I wish to welcome Justice Sullivan's children, and other family and friends.

I joined the Supreme Court after Justice Sullivan's retirement, and thus did not have the honor of serving with him. I did, however, have the opportunity to argue before him when he was on the court, and I remember him as unfailingly knowledgeable and astute about the law. Whether one encountered Justice Sullivan on the bench, through his opinions, or in other settings, his intelligence and wit immediately were apparent. He was a man with a comprehensive knowledge of and love for the law, and the eloquence and clarity of his opinions set a high standard for us all.

Justice Sullivan's departure from the court did not mean retirement from the law. He resumed his early pedagogical career by joining the faculty at Hastings College of the Law, where his inspirational teaching earned him the accolades of students. They selected him as outstanding teacher of the year when he was in his 80's. It is an honor that speaks volumes about Justice Sullivan's extraordinary

dedication to the law, and his continuing passion for imparting his understanding not only to litigants who might read his opinions, but to students who one day would be practicing the profession he loved so well.

After his retirement, Justice Sullivan continued a warm and cordial association with the court. As a frequent attendee at the court's annual holiday party, he often was asked at the last moment to say a few words. Invariably he would rise to the occasion with remarks that brought smiles and admiration for his graceful oratory.

Justice Sullivan's contributions to the law will live on in his beautifully written and reasoned opinions, and in the impact he has had on the lives of so many lawyers in the generations following his own. His life truly was a life in the law, and we all are fortunate to have benefited from it.

It is now my pleasure to introduce Associate Justice Stanley Mosk, who served with Justice Sullivan, and who will speak on behalf of our court.

ASSOCIATE JUSTICE STANLEY MOSK: It is difficult to contemplate anyone sitting in these chairs after they were occupied by such judicial giants as Phil Gibson, Roger Traynor, Matthew Tobriner, Raymond Peters, Jesse Carter, to name a few.

However, Raymond Sullivan fit in very well. He was a true scholar, always contemplating not only the case before him, but its ultimate effect on the judicial process.

A Court of Appeal justice, Raymond Sullivan was appointed to the Supreme Court on December 20, 1966, succeeding Justice Paul Peek who retired. Though the new and junior member of the court, he plunged into the pending work with thoughtful consideration. In a little over a month he produced a unanimous opinion in a capital case, *People v. Sanchez* (Feb. 1967) 65 Cal.2d 814. He held, for the court, that “‘An awareness of the obligation to act within the general body of laws regulating society . . . is included in the statutory definition of implied malice’” (*Id.* at p. 821.)

His first several cases were criminal matters. *People v. Stout* (Mar. 1967) 66 Cal.2d 184, in which he criticized the prosecutor's commenting on defendant's failure to take the stand in defense. His first reversal of a conviction came about in *People v. Gonzales* (Apr. 1967) 66 Cal.2d 482. He found an erroneous admission

of extrajudicial statements and their ultimate utilization by the prosecutor to be prejudicial.

The first Sullivan opinion in a civil matter was of major commercial significance. In *People v. United National Life Ins. Co.* (May 1967) 66 Cal.2d 577, he upheld the right of the State of California to regulate insurance company practices, as long as Californians were importuned, even if there was no solicitation in person by agents, but by mail. Solicitation of Californians and their purchase of insurance constitutes doing business in the state and is subject to regulation.

As indicated, almost immediately after his appointment Raymond Sullivan became a complete member of the court, contributing his share, indeed often more than his share, of the court's work. He ultimately retired on January 19, 1977.

His last two opinions for this court were particularly significant. *Serrano v. Priest* (Dec. 1976) 18 Cal.3d 728 dealt with a challenge to the public school financing system in California. *City of Los Angeles v. Decker* (Jan. 1977) 18 Cal.3d 860 discussed eminent domain matters involving the Los Angeles airport.

Justice Sullivan had 478 attributed opinions during his combined Supreme Court and Court of Appeal tenure. Three hundred eighty-four were Supreme Court opinions.

Of those, 316 were Supreme Court majority opinions; 68 were minority opinions. The minority opinions subdivide to 26 concurrences, 12 concurrences and dissents, and 30 dissents. All were of first-class quality.

Raymond Sullivan was a true dedicated scholar, ever contemplating true justice and the judicial process.

He was thoughtful, industrious, always polite and courteous to advocates, and ever collegial within the court.

He had one additional quality: in presentations to law classes and to lawyer groups, he was a brilliant and commanding orator. It was a delight to hear a Sullivan Irish stentorian presentation to a group.

I am proud to consider him to have been a dear friend.

But more importantly, Raymond Sullivan will go down in history as one of the great justices of the California Supreme Court.

CHIEF JUSTICE RONALD M. GEORGE: Thank you very much, Justice Mosk. It is now my pleasure to introduce Professor Marsha Cohen, a former law clerk for Justice Sullivan and later a colleague of his at Hastings.

PROFESSOR MARSHA COHEN: Mr. Chief Justice George, Associate Justices, members of the Sullivan family, and friends, I am deeply honored to participate in this celebration of the life and career of Justice Raymond L. Sullivan. It is a special honor to deliver these remarks in this courtroom, a stone's throw from Justice Sullivan's former chambers where we first met 29 years ago.

That our relationship lasted more than 29 minutes is a remarkable tale. I arrived at the court at the appointed hour in December 1970 for an interview. Justice Sullivan greeted me at his office door, ushered me in, and immediately offered a sincere apology. He was sorry, he said, to have inconvenienced me, but after he had made our appointment he had filled one of his two positions with another member of my Harvard Law School class. As a member of the California judiciary he felt he should hire at least one clerk from a California law school.

My interview persona immediately shed, I blurted out, "Oh, David will say he's from Berkeley." I knew my friend and classmate David Lipson — Berkeley born and bred, a faculty child no less — had just accepted that clerkship. A hint of a smile (a shocked smile, perhaps) crossed the Judge's face, and he continued our interview. Within the week David and I were celebrating our year to come as co-clerks, and my life had forever changed. As the Judge periodically reminded us, because of him, my family and I are San Franciscans.

I was months into my clerkship year (in truth, it was when I met his wife Winnie) before I could begin to understand why my feisty outspokenness had appealed to this elegant, unfailingly polite, and formally correct gentleman. For he was in many ways the best blend of the two halves of the century in which he lived. For example, he was willing to hire young women clerks — I was not his first — when many members of the bench, even liberals, were still discriminating against us. Yet he didn't discard chivalry: he assigned the nice clerk office, in this old building, to us women, and the windowless cubicle in the annex to the men, and would not think of agreeing to a proposed half-year split.

His 21 clerks and 32 externs, by our count, had the extreme good fortune to spend time at the side of an outstanding judge who must have been an extraordinary practicing attorney. With the possible exception of his dear friend Bernard Witkin, Justice Sullivan's knowledge of and ability to apply procedural rules and concepts were without peer. He wrote with clarity and precision, and taught us (with varying results) to do the same. While sympathetic to our youthful passions about policy implications of cases, he returned always to what he perceived to be the task at hand: the decision of the issues actually before the Court, on the basis of the applicable law, no more and no less. While he surely knew that his decisions had the potential to, and sometimes did, change the world, his focus was always on judging the dispute before him. If that task required novel interpretation, he would and could follow that path. And while measured and temperate, he was not dispassionate in his judging. In his careful and considered opinion for this court in *Serrano v. Priest* (1971) 5 Cal. 3d 584, 619, for example, he concluded that in righting the injustice of inequality in public school financing, "we further the cherished idea of American education that in a democratic society free public schools shall make available to all children equally the abundant gifts of learning."

Justice Sullivan was both modest and loyal, a great believer in this court as an institution of which he was just one member. He practiced and expected not just confidentiality in regard to the court's work, but respect of its institutional operation. While privately proud of his authorship role in such cases as *Serrano* and *Li v. Yellow Cab* (1975) 13 Cal. 3d 804,* he never claimed them as uniquely his own, and as far as I can tell he never wrote or lectured about his time on the Supreme Court. In all our years as colleagues at Hastings, I got just one flash of insight beyond the published words about a case he authored that I regularly critiqued in my administrative law course. If he had feelings, as I am sure he did, about the changes in comparative negligence brought about by Proposition 51 or the plight of California's now equally underfinanced public schools after Proposition 13 he kept them to himself.

After retiring from the court, Justice Sullivan taught for 15 years at Hastings. His course in appellate procedure was regularly cited by students as their favorite, as the best course they took at Hastings, notwithstanding the Judge's reputation as demanding. He refused to add another course to his repertoire, proclaiming that he knew nothing else well enough to teach it. He could not be convinced that his standards in this regard far exceeded those of his colleagues.

* A complete bibliography of Justice Sullivan's opinions for the California Court of Appeal and the California Supreme Court was published at 46 Hastings Law Journal 295 (1994).

Nor, alas, could he be convinced that it would be worthwhile to videotape his course to preserve it for future students. He took great pleasure in his teaching, as he had in his work in the court, retiring only when he needed to devote his daily attention to caring for his beloved wife Winnie.

There are other personal qualities about Justice Sullivan that deserve mention. In all our years of professional and personal acquaintance, he never had a bad word for anyone — not even a dean. He could always find a quality worthy of positive comment. He respected his court colleagues, and would brook no personal criticism of their work from his staff members. And his loyalty to institutions carried over to loyalty to people; he was a source of unwavering personal support to me and, I'm sure, to others of us. He spoke with parental pride of the successful lawyers, authors, professors, and judges that we who enjoyed his tutelage have become.

We should not fail to remember the Judge's remarkable sense of humor. His serious, staid, judicial persona would be shed at appropriate occasions; his droll wit enlivened numerous events, formal and informal. And we must also recall the important role that his strong Catholic faith played in his life. His devotion to his family and friends, to serving the cause of justice as a lawyer and as a judge, to teaching all of us who were his students in many ways, and to modeling the way to live as an honorable and just person — all were imbued, I think, with a sense that there is a divine purpose to life, and missions to fill not only of one's choosing.

Justice Sullivan would be embarrassed by our making a fuss over him today. While agreeing to be feted by his clerks on his retirement and his important birthdays thereafter, he regularly implored us not to take too much trouble or spend too much money on the occasions (with increasing age, he did become ever more willing to admit how much he enjoyed our attentions). But he absolutely forbade public events in his honor. To our delight (and with some cajoling) he agreed that the University of San Francisco could honor him in its new law library building. As I said to his family some weeks ago, he is now without jurisdiction to prevent me from seeking to memorialize him at Hastings.

In the Book of Deuteronomy, God orders the Israelites to “appoint magistrates and officials for your tribes, in all the settlements that the Lord your God is giving you, and they shall govern the people with due justice. You shall not judge unfairly; you shall show no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just. Justice, justice shall you pursue, that you may thrive and occupy the land that the Lord your God is

giving you.” (Deuteronomy 16:18-20.) The command was fulfilled, and the land of California well served, by Justice Raymond L. Sullivan.

CHIEF JUSTICE RONALD M. GEORGE: Thank you very much, Professor Cohen. I now would like to introduce Mr. Peter Folger, also a former law clerk of Justice Sullivan, and presently a prominent lawyer in San Francisco.

MR. PETER FOLGER: Chief Justice George and Associate Justices of the Supreme Court:

It is an honor to speak today in memory of Justice Raymond L. Sullivan. I do so from two perspectives: first, on behalf of Justice Sullivan’s alma mater, St. Ignatius College, which became the University of San Francisco in 1930; second, as one of Justice Sullivan’s judicial externs during the time he was an Associate Justice of this Honorable Court.

Justice Sullivan’s association with the University of San Francisco was a long and warm one. The specifics of that association are well known: A.B. *magna cum laude* in 1928, J.D. in 1930, and LL.M. in 1933. The University has long recognized the Judge’s contributions to the law and to society, and gave public recognition to those contributions by bestowing on him an honorary LL.D. and by presenting him with the St. Thomas More Award. Most recently, the Alumni Association of the Law School further underscored the high esteem in which we hold Justice Sullivan by presenting him with the Distinguished Alumnus Award in 1998.

As prestigious as these awards are, they do not entirely capture the depth of affection and admiration that the University, and most particularly the Law School, always will have for this wonderful man. As Dean Brand of the Law School recently wrote: “Justice Sullivan’s life is one of the pillars of our USF Community. At the Law School, he remains a beacon that has shined for decades, constantly reminding us that the law best serves society when it is applied compassionately and with a concern for those without money and without access. The truth is that Justice Sullivan’s spirit is more important to the Law School now than it ever has been because the outside world is so often hostile to the values he held so dear and which are so critical to the survival of the human spirit. The example of Justice Sullivan’s principled life continues to guide our work.”

Dean Brand's words capture how everyone connected with the Law School feels about Justice Sullivan. Both to honor his life's work and to ensure that students at the Law School always will have his career held before them as a brilliant example of our profession at its best, the Law School, in 1997, named the California collection in its new library in honor of Justice Sullivan. A personal relationship with the Judge is not necessary for one to be deeply affected by his intellect and sense of justice. Future students need only spend time in that room reading the Judge's opinions to be touched in a significant way by the man we remember today.

Happily for some, their student days did include a personal relationship with Justice Sullivan. For those of us lucky enough to work for him as judicial externs, we received a hands-on education by a master educator. Under his guidance, we were introduced for the first time to the practical application of procedural law. Our written work was scrutinized as never before. Our analysis and conclusions were subjected to pointed questions. Certainly, by the end of our term, our writing was far more precise and our analysis of legal issues, far more perceptive. But these would be only the outward manifestations of a Sullivan education. What we took away from our time with the Judge was even more valuable than those lawyering skills. In his gentle way, his always courtly way, he instilled in us a deeper understanding of the serious responsibilities we would have as lawyers -- first and foremost as officers of the court, but also to our clients. His love and respect for the law and its processes, the integrity which permeated his being, and his devotion to the high calling that is the judiciary, were inspirational to us and have become the cornerstones of our careers. In the end, while we stand in awe of his intellectual discipline and have sought ever after to replicate the rigor he brought to his work, our careers, indeed our lives, have been profoundly influenced, at their core, by the ethical standard set by the Judge. That standard, wrapped in the warm dignity of his countenance, is our most cherished memory, and a legacy, of Justice Sullivan.

CHIEF JUSTICE RONALD M. GEORGE: Thank you very much, Mr. Folger. Next, I would like to introduce Dr. R. Lawrence Sullivan, a son of Justice Sullivan, and the president of the California Society of Anesthesiologists.

DR. R. LAWRENCE SULLIVAN: Mr. Chief Justice, members of the court, members of the Bar, distinguished guests and friends.

On behalf of the Sullivan family, I want to thank the court for the honor that you have bestowed on my father's memory during this special recognition of his career as a servant of the law, most notably as a member of this august body for over ten years. We are especially grateful to Justice Stanley Mosk, to Professor Marsha Cohen, and to Mr. Peter Folger for providing us a glimpse of Dad's legal persona, a part of his life that sometimes we were unable to experience. Your words have provided us with great personal comfort and immense pride.

To say that we are proud of our father is a serious understatement. He was truly the consummate devoted and loving husband, a lifelong companion to our mother; a wise, thoughtful, though not overly demanding father of five children; the respected family lawyer and confidant to his many in-laws; and a genuine friend of hundreds, most notably his boyhood chum and closest friend, Jack Kavanaugh. Many of you and others in the legal community had the good fortune of knowing my father as teacher, lawyer, or jurist.

Dad was an intensely private and humble man who made no pretense of his status or his notoriety. To us, his children, he was loving, kind, attentive, and always available for advice and problem solving. He was interested in our ideas and our aspirations, our political thoughts and our favorite movies. He was an honest critic of our work, and he was supportive of our decisions even though he did not always agree. He taught us the immense value of the family, and he was an outstanding role model as husband and father. As an accomplished pianist, Dad taught us to appreciate the music of Bach and Beethoven, Tchaikovsky and Mozart, Arthur Fiedler, Rogers and Hammerstein, the piano playing of George Feyer, Frank Sinatra, Nat King Cole, and Ella Fitzgerald singing Cole Porter. He also taught us to love history and good books, impressionist art, the Japanese Tea Garden, potato salad from Draeger's Market, Blum's chocolate fudge cake, and the fine wines of France. He introduced us to the beauties of Lake Tahoe, annual treks to Carmel and Mendocino, the splendors of Yosemite, and weekend hikes on Tamalpais with Dad's colleague from the court, the late Justice Matthew Tobriner. Most importantly, he taught us to respect our religious heritage, and to love and respect one another.

Upon historical reflection, it makes sense why San Francisco quaked so dramatically in April 1906. For as some of you may already know, Dad was an "earthquake baby." No, he was not born at that time, but rather almost exactly nine months later. With his family living in the Mission District and then Eureka

Valley, he attended public schools until 1920, when he began ten years of Jesuit education at St. Ignatius High School, College, and Law School, graduating number one in his law school class in 1930. Despite this distinction, the Depression offered few opportunities in the practice of law, which I suspect may have been a plot by the Jesuits to recruit him at their high school where he taught for nearly six years. Referred to as "Red Sullivan," his reputation as an outstanding teacher was often related to me by his former students who, years later, taught me, as well as my good friend and classmate, Justice Ming Chin, at Bellarmine Prep in San Jose.

Dad began the practice of law in the late 1930's with Bill Malone who at that time was also Chairman of the Democratic Party in California during much of the Roosevelt and Truman administrations. After 25 years of distinguished practice in the firm of Malone and Sullivan, Dad was appointed to the First District Court of Appeal, when most of us children were still teenagers. His elevation to the bench marked a new dynamic in the Sullivan household. Except for our sister, Patricia, we all lived at home while attending college. This meant that we were competing with Dad for space on the dining room table each night to do our homework as he usually had a briefcase full of work himself. But it was the exchange of ideas at dinner each night which we found most stimulating. It was almost routine for Dad to talk about politics or to pose complicated legal scenarios for us, which led to interesting dialogue and debate. We learned more and more about each other in those discussions, and they remain some of our most treasured memories.

In 1966, after Pat Brown lost the governorship to Ronald Reagan, Justice Paul Peek retired from the state Supreme Court for health reasons, thus giving the Governor one last appointment to the high bench. It was actually Chief Justice Roger Traynor who recommended to the Governor that Dad be appointed to the court. And so, Raymond Sullivan became Pat Brown's last judicial appointment, much to the displeasure of the new Republican administration. The Sullivan offspring became aware of this appointment from rumors in the newspaper. One night, we descended en masse on the Sullivan household to confront our father regarding his judicial future. As the Governor had sworn him to secrecy until the appointment had been announced, he artfully dodged our persistent questions. Finally, my mother, who was not as skilled at avoiding such challenges, said: "Why don't you just tell them, Ray?" And so the cat was out of the bag, and I think that Dad may have had a twinge of guilt for not being able to keep this wonderful news from his own children. There is no doubt in my mind that his years on the

Supreme Court of California were the most intellectually challenging and professionally rewarding years of his legal career.

Upon his retirement from the court in 1977, Dad was recruited to the faculty at Hastings. None of us ever imagined that he would teach until age 86, but he thrived in this environment, despite the immense amount of preparation time that he committed to his lectures. His course on appellate process became the most popular elective course on the Hastings campus. In 1991, Dad was named the most outstanding member of the faculty by the graduating class.

Many of his friends, his colleagues, and his students have praised Dad for his scholarly achievements, his prudent decisions, his eloquence, and his reflection of genuine integrity. Although much of his life seemed to be consumed by his legal career and obligations, his number one commitment, without a doubt, was to our mother. Those who knew Mom and Dad realized how much they were in love, how devoted they were to one another, and how much their lives were in harmony. It was because of Mom's failing health that Dad retired from Hastings in 1993. Despite our attempts to stimulate new activities in his daily routine, her death in 1997 created a huge void that we could never fill.

Many of you know that Dad was a fan, and in some ways a disciple, of the famous Chancellor of England, Thomas More. In fact, Thomas More's picture has graced the family living room for as long as I can remember. Even when we were children, Dad spoke often of the great qualities that made this 16th-century scholar and statesman and defender of the Catholic Church so famous. Thomas More's life was predicated on commitment to his family, justice, and equality. Our father lived that same commitment. Perhaps his proudest achievement was being named the recipient of the St. Thomas More Award by his alma mater, USF. In many ways, for his family and for others whose lives he touched, he will always be remembered as a "Man for all Seasons."

Finally, Mr. Chief Justice, I want to thank you for the opportunity to reflect on the life of my father. I am confident that the great qualities that were the very essence of Dad's moral fabric — to preserve those precious individual rights of freedom and equality — will always remain within the spirit of this great court.

CHIEF JUSTICE RONALD M. GEORGE: Thank you very much, Dr. Sullivan.

I want to thank again all those who have contributed their special and memorable remarks to this morning's memorial session.

In accordance with our custom, it is ordered that the proceedings at this memorial session be spread in full upon the minutes of the Supreme Court and published in the Official Reports of the opinions of this court, and that a copy of these proceedings be sent to Justice Sullivan's family.

- S065485 Nelson F. Leone, Appellant
 v.
 Medical Board of California, Respondent
 Cause called. Beth Faber Jacobs, Deputy Attorney General,
 argued for Respondent.
 Albert J. Garcia argued for Appellant Leone.
 Timothy D. Murphy argued for Appellant Ganti.
 Ms. Jacobs replied.
 Cause submitted.
- S074364 Paul Haggis, Appellant
 v.
 City of Los Angeles, Respondent
 Cause called. Pamela S. Schmidt argued for Appellant.
 William L. Waterhouse opened argument for Respondent.
 Gordon B. Burns, Deputy Attorney General, appearing for
 Amicus Curiae continued argument for Respondent.
 Ms. Schmidt replied.
 Cause submitted.
- S061945 Louis E. Potvin, Appellant
 v.
 Metropolitan Life Insurance Company, Respondent
 To be called and continued to February 2000.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

S078119 Hector Rosales, Appellant
 v.
 Deputy Ace Medical Company, Respondent
 Cause called. James H. Broderick, Jr. argued for Respondent.
 Paul S. Norris argued for Appellant.
 Mr. Broderick replied.
 Cause submitted.

S024349 The People, Respondent
 v.
 Peter Sakaris, Appellant
 Cause called. Cliff Gardner argued for Appellant.
 Michael Keller, Deputy Attorney General, argued for
Respondent.
 Mr. Gardner replied.
 Cause submitted.

Court recessed until 9:00 a.m., Friday, January 7, 2000.

S021331 The People,
 Plaintiff and Respondent,

 v.

 Curtis Lee Ervin,
 Defendant and Appellant.

 We affirm the judgment in its entirety.

Chin, J.

We Concur:

George, C.J.

Baxter, J.

Werdegar, J.

Brown, J.

Concurring Opinion by Mosk, J.

Concurring Opinion by Kennard, J.

S077289 Randolph Llee,
 Petitioner,

 v.

 Los Angeles County Superior Court,
 Respondent;

 The People, Real Party in Interest.

 We affirm the judgment of the Court of Appeal, denying the writ
 of prohibition.

George, C.J.

We Concur:

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

2nd Dist. People, Plaintiff and Respondent
B127895 v.

Victor Torres, Defendant and Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including February 14, 2000, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

S011960 People, Respondent
v.

Cynthia Coffman and James Gregory Marlow, Appellants

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including February 2, 2000.

S016718 People, Respondent
v.

Steven David Catlin, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including March 10, 2000.

No further extensions of time are contemplated.

S032509 People, Respondent
v.

Erik Sanford Chatman, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 13, 2000.

S049626 People, Respondent
v.

Stephen Hajek and Loi Tan Vo, Appellants

On application of appellant Stephen Hajek and good cause appearing, it is ordered that the appellant Stephen Hajek is granted to and including February 29, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S049626 People, Respondent

v.

Stephen Hajek and Loi Tan Vo, Appellants

On application of appellant Loi Tan Vo and good cause appearing, it is ordered that the appellant Loi Tan Vo is granted to and including February 15, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S078689 People, Respondent

v.

Melvin E. Hanson, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including January 7, 2000.

No further extensions of time will be granted.

S080499 In re Raydale D. Hunter

on

Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file an informal response is extended to and including January 31, 2000.

S080623 In the Matter of Suspension of Attorneys

Pursuant to Rule 962, California Rules of Court

Bruce D. Curnick, #151869, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS **HEREBY ORDERED** that **Bruce D. Curnick**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **February 7, 2000**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension

shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

**SUPREME COURT CALENDAR
SACRAMENTO SESSION
FEBRUARY 8, 9, and 10, 2000**

The following cases are placed upon the calendar of the Supreme Court for hearing at the B.F. Hastings Building, 1002 2nd Street, Old Sacramento, on February 8, 2000 at 9:00 a.m. On February 8, 2000 at 2:00 p.m. and February 9, and 10, 2000 the following cases will be heard at the courtroom in the Library and Courts **Building**, Sacramento, California.

TUESDAY, FEBRUARY 8, 2000 - 9:00 A.M.

(B.F. Hastings Building)

CELEBRATION OF THE 150TH ANNIVERSARY OF THE SUPREME COURT

S062201	Guz v. Bechtel National Inc.
S072471	People v. Nguyen

2:00 P.M.

(Library & Courts Building)

S076239	Moore v. First Bank of San Luis Obispo
S076103	Moshonov v. Walsh
S007522	People v. Daniel Steven Jenkins [Automatic Appeal]

WEDNESDAY, FEBRUARY 9, 2000 - 9:00 A.M.

IN MEMORIAM - HON. FRANK K. RICHARDSON,
Associate Justice, California Supreme Court (1974-1983)

S073725	Morillion v. Royal Packing Company
S077785	People v. Rizo

2:00 P.M.

S061945	Potvin v. Metropolitan Life Insurance Company
S076167	Cruz v. Briseno
S012762	People v. Terry Douglas Bemore [Automatic Appeal]

THURSDAY, FEBRUARY 10, 2000 - 9:00 A.M.

S080201	P L C M Group Inc. v. Drexler
S078712	People v. Southern California Edison Company
S020161	People v. Tauno Waidla [Automatic Appeal]

George

Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 10(d), California Rules of Court.